URBAN/MUNICIPAL
CA4 ON HBL A08
89-074

Parks By-Laws
89-074

THIS CONSOLIDATION OF THE BY-LAW IS
IS PREPARED FOR CONVENIENCE ONLY, FOR
ACCURATE REFERENCE PLEASE CHECK
ORIGINAL BY-LAW

Bill No. **B-1**

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO 98- 251

TO AMEND

By-law No. 95-126

THE PARKS BY-LAW

WHEREAS the Council of the Corporation of the City of Hamilton believes it is desirous to amend By-Law 95-126;

AND WHEREAS Council, on October 13, 1998, in adopting Section 5 of the Tenth Report of the Parks and Recreation Committee authorized this By-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Section 36 of the Parks By-law 95-126, passed and enacted on the 30th day of May, 1995, is hereby amended by adding the following subsection:

   (3) For the purpose of this Section "guide dog" shall mean a hearing aid dog, a seeing eye dog, or a special needs dog".

2. Section 36 of the said By-Law is further amended by adding to subsection 2(a) thereof the following words, namely:

   "unless within a posted designated leash free area".

PASSED this 13th day of October 1998.

CITY CLERK

MAYOR

BILL NO. *B-4*

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 95-*159*

TO AMEND

PARKS BY-LAW 95-126

WHEREAS the Council of the Corporation of the City of Hamilton believes it is desirous to amend By-law 95-126,

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:-

1. **Section 1 (Definition)** of the Parks By-law 95-126 passed and enacted on the 30th day of May 1995 is hereby deleted in its entirety and the following substituted therefor:

"Definition 1.

(a) *Authorized Sign* means any sign, notice, other device placed or erected in or upon a Park under the authority of this By-law;

(b) *Bicycle* includes a tricycle and unicycle, but does not include a motor assisted bicycle;

(c) *City* means the City of Hamilton;

(d) *Control* includes care and custody;

(e) *Council* means the council of the Corporation of the City of Hamilton;

(f) *Commercial Motor Vehicle* means a Motor Vehicle having attached to it a truck or delivery body of unit;

(g) *Designated Area* means any area defined or constructed for a specific use which may include Posted conditions;

(h) *Director* means the Commissioner of Public Works and Traffic or the Director of Culture and Recreation of the City or their designate; except where otherwise noted;

(i) *Motor Vehicle* means a Motor Vehicle within the meaning of the Highway Traffic Act, R.S.O. 1990, C.H.8 as may be amended from time to time;

(j) *Motorized Recreational Vehicle* means a snowmobile, go-cart, trail bike, mini bike, all-terrain Vehicle, or similar Vehicle, propelled or driven by an internal combustion engine;

(k) *Organized Sport or Activity* means a sport, game or activity pre-planned by a group or organization whether or not formally constituted and whether or not the players or members wear uniforms;

(l) *Permit* means any written authorization of Council, a committee established by Council, the Director where such authority has been delegated or the Director of Culture and Recreation where such authority has been delegated.

(m) *Post or Posted* refers to the erection or presence of permissive, regulatory, restrictive, warning or prohibitive signs and "Posted Area" means an area where such signs are erected;

(n) *Park* means any land, and land covered by water and all portions thereof owned by or made available by lease agreement, or otherwise to the City, that is or hereafter may be established, dedicated, set apart or made available for use as a public open space or golf course, and that has been or hereafter may be placed under the jurisdiction of the Director including any and all buildings, structures, facilities, erections, and improvements located in or on such land, save and except where such land is governed by other By-laws of the City;

(o) *Persons with disabilities* includes any person who is blind or who has any degree of physical disability, which requires the physical reliance on a wheelchair, crutches, braces, canes or other similar remedial appliance or device;

(p) *Public Parking Area or Parking Space* means any area of the Park on which there is an Authorized Sign designated by the City for such purpose;

(q) *Residence* means a place that is actually occupied or used as a residential building;

(r) *Roadway* means that part of a Park that is set aside for the use of vehicular traffic.

(s) *Vehicle* includes a Motor Vehicle as defined under the Highway Traffic Act, R.S.O. 1990, c.H.8, as may be amended from time to time, and any bicycle, carriage, wagon, sleigh or other Vehicle or conveyance of every description, whatever the mode of power, but excludes wheelchair or similar device (powered or otherwise) used by an individual due to disability, baby carriage or cart, child's wagon, child's stroller, child's sleigh or other conveyance of like nature; and

(x) *Watercraft* means any device for conveyance in or on water and includes but is not limited to power boats, row boats, sailboats, sailboards, canoes, kayaks, or dinghies."

2. **Section 49 (Penalty)** of the said By-law is hereby amended by adding thereto the following Sub-sections, namely:-

"49(4) A police officer or provincial offences officer observing a vehicle alleged to be parked;

(a) at a parking space for a period of time longer than the period of time permitted; or

(b) at any location where parking is prohibited,

may attach a serially numbered parking infraction notice to the motor vehicle.

49(5) Any person upon presentation of the parking infraction notice may, within 7 days pay a penalty out of Court in the amount of:

(a) not less than $10.00 in the case of a vehicle parked longer than the period of time permitted; or

(b) not less than $20.00 in the case of a vehicle parked where parking is prohibited."

3. The said By-law is further amended by adding thereto the following section, namely:-

"55 Any reference to By-law 89-74 shall be a reference to this By-law."

4. The said By-law is further amended by adding thereto the following section, namely:-

"Signs 28A.(1) There shall be erected one or more of the following signs in a Park:

1. Signs displaying the symbol for "No Parking" as specified under The Highway Traffic Act.

2. Signs displaying the word "Yield", or symbol in lieu thereof, specified under The Highway Traffic Act.

3. Signs displaying the word "Stop", or a symbol in lieu thereof, specified under The Highway Traffic Act.

4. Signs displaying the maximum speed limit, specified under The Highway Traffic Act.

5. Signs displaying the symbol for "No "U" Turns", specified under The Highway Traffic Act.

6. Signs indicating "One Way Traffic" specified in Part A to schedule 1 of the By-law No. 89-72.

7. Signs indicating lane use designated, specified in Part C of schedule 1 of By-law No. 89-72.

8. Signs indicating that roadway or drive is closed to vehicular traffic or to a particular class of vehicular traffic.

9. Signs indicating a public parking area.

10. Signs indicating time limit for parking.

11. Signs indicating service roads.

(2) The signs referred to in subsection 1 may contain,

(a) an exception relating to an activity permitted in a particular area;

(b) additional information relating to the regulation of traffic.

5. The said By-law is further amended:

a) by deleting from the first line of **Subsection 29(c)** the following words, namely:-

"stop or"

b) by deleting **Subsection 29(d)** in its entirety and by substituting therefor the following, namely:-

"park a Vehicle in a Parking Space reserved for persons with disabilities unless a disabled person parking permit issued in accordance with the provisions of the Highway Traffic Act, R.S.O. 1990, cH.8, as may be amended from time to time, is properly displayed on or in the Vehicle; or".

c) by adding thereto the following subsection, namely:-

"One-way traffic **34A** No person shall drive a vehicle on a one-way roadway in a direction opposite to the direction of the traffic."

d) by deleting from the first line of **Section 36(1)(b)** the following words, namely:-

"blind persons or hearing impaired persons"

and by substituting therefore the following words, namely:-

"persons with disabilities".

e) by deleting from the first line of **Section 36(2)(b)** the following words, namely:-

"excluding disabled persons".

f) by adding thereto the following subsection, namely:-

"Hours of Entrance 2(1) No person shall enter into, or be in any Park between the hours of half past eleven in the afternoon and six o'clock in the forenoon, except where after hours use of a Park has been approved by the City".

g) by deleting **Section 2 (Restricted Areas)** and by substituting therefor the following, namely:-

"Restricted Areas **2(2)** While in a Park, no person shall enter into areas posted to prohibit or restrict admission of the public".

h) by deleting **Subsection 11(1) (Alcohol)** in its entirety and by substituting therefor, the following namely:-

"(1) no person shall be in possession of, consume, serve or sell alcoholic beverages unless authorized by Permit issued by Council and with the approval of the Liquor Licence Board of Ontario; and".

PASSED AND ENACTED THIS *29th* **DAY OF** *August* **A.D. 1995.**

CITY CLERK **MAYOR**

Bill No. **B-3**

The Corporation of the City of Hamilton

BY-LAW NO. 95- *126*

To Replace:

By-Law No. 89-74

RESPECTING PARKS

WHEREAS prior to December 31, 1973, the general management, regulation and control of Parks, avenues, boulevards and roadway drives belonging to the Corporation of the City of Hamilton were vested in the Board of Park Management of the City of Hamilton, pursuant to the Public Parks Act, R.S.O. 1970, Chapter 384;

AND WHEREAS on December 31, 1973, the said Board of Park Management was dissolved and the assets and liabilities thereof became on the 1st day of January 1974, assets and liabilities of The Corporation of the City of Hamilton, pursuant to Section 136 of The Regional Municipality of Hamilton-Wentworth, 1973;

AND WHEREAS The Corporation of the City of Hamilton may exercise all or any of the powers that are conferred on Boards of Park Management by the Public Parks Act, pursuant to Section 207, paragraph 52 of the Municipal Act, R.S.O. 1990, Chapter M.45;

AND WHEREAS paragraph 42 of Section 207 of the Municipal Act, R.S.O. 1990, Chapter M.45 provides for the prohibition of vehicles from sidewalks, pathways or footpaths in Parks;

AND WHEREAS By-law No. 77-221 was passed on the 30th day of August 1977 by the Council of The Corporation of the City of Hamilton;

AND WHEREAS By-law No. 77-221 was consolidated by By-law No. 89-74, which was enacted on the 28th day of February, 1989;

AND WHEREAS City Council, on the 30th day of May 1995, in adopting Section 29 of the Twelfth Report of the Parks and Recreation Committee authorized the enactment of this By-Law to replace By-law No. 89-74;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

In This By-law,

Definition

1. (a) *Authorized Sign* means any sign, notice, or other device placed or erected in or upon a Park under the authority of this By-law;

(b) *Bicycle* includes a tricycle and unicycle, but does not include a motor assisted bicycle;

(c) *City* means the City of Hamilton;

(d) *Control* includes care and custody;

(e) *Council* means the council of the Corporation of the City of Hamilton;

(f) *Commercial Motor Vehicle* means a Motor Vehicle having attached to it a truck or delivery body of unit;

(g) *Designated Area* means any area defined or constructed for a specific use which may include Posted conditions;

(h) *Disabled Person* includes a person who is blind or who has any degree of physical disability, which requires the physical reliance on a wheelchair, crutches, braces, canes or other similar remedial appliance or device;

(i) *Director* means the Director of Public Works of the City or his or her designate; except where otherwise noted.

(j) *Motor Vehicle* means a Motor Vehicle within the meaning of the Highway Traffic Act, R.S.O. 1990, C.H.8 as may be amended from time to time;

(k) *Motorized Recreational Vehicle* means a snowmobile, go-cart, trail bike, mini bike, all-terrain Vehicle, or similar Vehicle, propelled or driven by an internal combustion engine;

(l) *Organized Sport* or *Activity* means a sport, game or activity pre-planned by a group or organization whether or not formally constituted and whether or not the players or members wear uniforms;

(m) *Permit* means any written authorization of Council, a committee established by Council, the Director where such authority has been delegated or the Director of Culture and Recreation where such authority has been delegated.

(n) *Post* or *Posted* refers to the erection or presence of permissive, regulatory, restrictive, warning or prohibitive signs and "Posted Area" means an area where such signs are erected;

(o) *Park* means any land, and land covered by water and all portions thereof owned by or made available by lease, agreement, or otherwise to the City, that is or hereafter may be established, dedicated, set apart or made available for use as a public open space or golf course, and that has been or hereafter may be placed under the jurisdiction of the Director including any and all buildings, structures, facilities, erections, and improvements located in or on such land, save and except where such land is governed by other By-Laws of the City;

(p) *Public Parking Area* or *Parking Space* means any area of the Park on which there is an Authorized Sign designated by the City for such purpose;

(q) *Residence* means a place that is actually occupied or used as a residential building;

(r) *Vehicle* includes a Motor Vehicle as defined under the Highway Traffic Act, R.S.O. 1990, c.H.8, as may be amended from time to time, and any bicycle, carriage, wagon, sleigh or other Vehicle or conveyance of every description, whatever the mode of power, but excludes wheelchair or similar device (powered or otherwise) used by an individual due to disability, bay carriage or cart, child's wagon, child's stroller, child's sleigh or other conveyance of like nature;

(s) *Watercraft* means any device for conveyance in or on water and includes but is not limited to power boats, row boats, sailboats, sailboards, canoes, kayaks, or dinghies

Part 1 - Use Of Parks - Conduct

Restricted Areas

2. While in a *Park,* no person shall enter into areas *Posted* to prohibit or restrict admission of the public.

Conduct

3. While in a *Park*, no person shall

(a) indulge in any riotous, violent, threatening, or illegal conduct or use profane or abusive language;

(b) cast, throw or in any way propel any object in such a manner as may or does endanger or cause injury or damage to any person or property;

(c) spy, accost, frighten, annoy or otherwise disturb other persons; or

(d) create a nuisance or in any way interfere with the peaceful enjoyment of the *Park* by other persons

Firearms and Offensive Weapons

4. While in a *Park*, no person shall be in possession of or use any firearm, air gun, bow and arrow, axe or offensive weapon of any kind unless authorized by the *Director.*

Fireworks

5. While in a *Park*, no person shall ignite, discharge or set off any firecrackers, rockets or other fireworks except as a fireworks display authorized by *Permit.*

Injury and Damage

6. No person shall in any *Park:*

(a) climb any building, structure or equipment, unless it is equipment designed for climbing;

(b) break, injure, deface, move or remove the whole or any part of any flowers, plant material, trees or other vegetation or any building, structure, equipment or other property of the *City*;

(c) unless authorized by *Permit*, climb move or remove the whole or any part of rocks, boulders, rock faces or remove any soil, sand or wood;

(d) in any manner, disturb ground which is under repair, prepared for planting, has been newly seeded or sodded or is in an area *Posted* to that effect; or

(e) conduct research, or remove any relict, artifact or natural object

(f) drive, park or walk in an area *Posted* to prohibit same. except with the written permission of the *Director*.

Waste and Pollution

7. No person shall in any *Park:*

(a) dispose or dump garbage, litter, tree trimmings, or any other refuse, except that which is generated through the normal use of the *Park* and shall only deposit same in receptacles provided for such purpose;

(b) dispose of or dump garden refuse except in a *Designated Area* therefore;

(c) unless authorized by *Permit,* dump or deposit snow, fill, soil, building or construction materials;

(d) dump or drain onto any soils or into the waters of any pool, pond, lake, stream, fountain or watercourse of any kind any material, toxic or otherwise, which may have the effect of polluting same

(e) release any balloons, except in accordance with Schedule "A".

Protection of Wildlife

8. While in any *Park*, no person shall:

(a) subject to the provisions of section 20, kill, attempt to kill, maim, injure, trap or disturb any animal, bird, waterfowl, fish, worms, or other wildlife; or

(b) touch, injure or remove any nest or egg therefrom.

Animal and Fish Displays

9. While in any *Park*, no person shall:

(a) feed or attempt to feed any wild bird or fish or any bird or fish owned by or under the control of the *City* unless *Posted* otherwise;

(b) throw, deposit, place or attempt to throw, material of any kind whatsoever in any area where birds or fish are kept for public display; or

(c) kill, attempt to kill, maim or in any way injure or molest any bird, waterfowl or fish that is kept for public display.

Encroachment

10. Unless authorized by *Permit*, no person shall encroach upon or take possession of any *Park* by any means whatsoever, including the construction, installation or maintenance of any fence or structure, the dumping or storage of any materials, or planting, cultivating, grooming or landscaping, thereon.

Alcohol

11. While in a *Park*:

(1) no person shall consume, serve or sell alcoholic beverages unless authorized by a *Permit* issued by *Council* and with the approval of the Liquor Licence Board of Ontario; and

(2) Any person who consumes, serves or sells alcoholic beverages in a *Park* shall obtain sufficient insurance to conform with current council policy of Liquor Act liability insurance, naming the *City* as an insured.

Part II - Park Use

Campfires and Barbeques

12. While in any *Park*, no person shall:

(a) light, build or stoke an open fire or bonfire unless authorized by *Permit*;

(b) use charcoal or solid fuelled portable barbeques unless authorized by *Permit* or where *Posted* to allow same;

(c) use fuel other than charcoal or briquettes in stationary barbeques; or

(d) leave a barbeque or campfire without extinguishing the fire and ensuring that the embers are cold.

Organized Gathering and Picnics

13. While in any *Park*, no person shall:

(a) unless authorized by *Permit*, hold a picnic, organized gathering or event for more than twenty-five persons; or

(b) interfere with a picnic, organized gathering or event authorized by *Permit.*

Amplifiers and Loud Speakers

14. Unless authorized by *Permit*, no person shall operate loud speakers or amplifying equipment in any *Park.*

Camping and Lodging

15. Unless authorized by *Permit*, no person shall dwell, camp or lodge in any *Park.*

Tents and Structures

16. Unless authorized by *Permit*, no person shall place, install or erect any temporary or permanent tent or structure in any *Park.*

Bathing and Swimming and Sun Bathing

17. No person shall in any *Park:*

(a) enter any public swimming pool, except at times designated for swimming;

(b) in or adjacent to any swimming pool, fail to abide by *Posted* signs or to obey the instructions of any lifeguard or other authorized person;

(c) swim, bathe or wade in any fountain, pond, lake or stream, except in a *Designated Area*; or

(d) utilize facilities without being properly attired including appropriate swimwear or beach clothing.

Use of Wash and Change Rooms

18. No person shall enter any portion of any washroom, bathhouse, or changeroom in any *Park* set apart for the opposite sex.

Part III - Games, Sports and Organized Activities

Organized Sports or Activities

19. (1) While in any *Park*, no person shall:

(a) arrange or engage in an *Organized Sport* or *Activity,* unless authorized by *Permit*; or

(b) interfere with an *Organized Sport* or *Activity* authorized by *Permit.*

(2) In addition to the prohibitions set out in subsection (1), while in any *Park* no person shall utilize a *Designated Area* without a *Permit* where same is *Posted* to prohibit or restrict such use.

Fishing

20. No person shall fish in an area *Posted* to prohibit same, in any *Park.*

Golf

21. (1) While in any *Park*, no person shall play or practise golf or strike a golf ball except on a golf course or in a *Designated Area.*

(2) On any golf course located in a *Park* no person shall:

(a) play or practise golf unless registered on that day as a player;

(b) hunt for or pick up any lost, misplaced, or abandoned golf balls provided that nothing herein shall prevent a person registered as a player or such player's caddy from retrieving or attempting to retrieve golf balls lost by such registered player; or

(c) during the period from April 1st to and including November 30th, enter in or upon the playing area thereof unless registered on that day as a player or accompanying such player as a caddy.

Model Aircraft and Rockets

22. While in any *Park*, no person shall operate any powered models of aircraft, rockets, *Watercraft* or *Vehicles* unless authorized by *Permit.*

Aircraft

23. Unless authorized by *Permit,* no person shall tether, launch or land any fixed-wing aircraft, helicopter, hot air balloon, hang glider, ultra light aircraft or similar conveyance in any *Park.*

Skating

24. On any natural or artificial ice surface located in any *Park*, no person shall:

(a) use speed skates unless authorized by *Permit* or in a *Posted* area in accordance with *Posted* conditions;

(b) skate or act in such a manner as to interfere with and/or endanger any other person using the surface; or

(c) use a stick of any kind except in accordance with *Posted* conditions.

Skiing, Tobogganing and Sledding

25. (1) No person shall downhill ski, toboggan, snowboard, skibob or sled in any area *Park* unless otherwise *Posted* to allow same.

(2) No person shall cross country ski in any area *Park* that has been posted to prohibit same.

Roller Skates and Skateboards

26. While in any *Park,* no person shall:

(a) operate or utilize roller skates, skate boards, linear skates or like conveyances where *Posted* to prohibit or otherwise restrict the use of same; or

(b) obstruct, inconvenience or endanger other users of the *Park* while operating or utilizing traditional or in-line roller skates, skate boards or like conveyances.

Tennis

27. No person shall enter, walk, or play upon a *Designated Area* for tennis in any *Park*, except in accordance with the *Posted* rules and regulations.

Part IV - Vehicles

Roadway

28. (1) The *Council* or, where such authority has been delegated, the *Director* or Committee established by *Council,* is authorized to establish appropriate regulations to regulate the use of *Park* roadways.

(2) Unless authorized by *Permit*, and except as provided in section 31 with respect to *Bicycles*, no person shall while in any *Park* drive, operate, pull or ride any *Vehicle* except on a roadway or *Public Parking Area.*

Parking

29. No person shall in any *Park*:

(a) park or leave a *Vehicle* except in a *Designated Area* for parking;

(b) park or leave a *Vehicle* between the hours of 11:01 p.m. and 5:59 a.m., except in a *Designated Area* allowing for such overnight parking, or where authorized by *Permit;*

(c) stop or park a *Vehicle* in a *Designated Area* for parking, except in a *Parking Space* and in accordance with *Posted* conditions;

(d) stop or park a *Vehicle* in a designated disabled *Parking Space,* unless a disabled person parking permit issued in accordance with the provisions of the Highway Traffic Act, R.S.O. 1990, c.H.8, as may be amended from time to time, is properly displayed on or in the Vehicle; or

(e) use any *Parking Space* except while using the *Park.*

30. No person shall make use of any roadway or parking lot in any *Park* for:

(a) washing, cleaning, servicing, maintaining or, except in the event of an emergency, the repair of any *Vehicle*; or

(b) instructing, teaching or coaching any person in the driving operation of a *Motor Vehicle.*

Bicycles

31. While in a *Park*, no person shall:

(a) ride, operate or be in possession of any *Bicycle* where *Posted* to prohibit same; or

(b) obstruct, inconvenience or endanger other users of the *Park* while riding or operating a *Bicycle.*

Motorized Recreational Vehicles

32. No person shall ride, drive, park or be in possession or control of a *Motorized Recreational Vehicle* in any *Park* except in a *Designated Area.*

Trucks and Commercial Vehicles

33. No person shall drive, operate, pull or ride in any *Park*:

(a) any heavy machinery or equipment of any description and whatever the mode of power; or

(b) any truck, trailer or bus whatsoever except a *Vehicle* that is,

(i) being used for the purpose of making a delivery to a point within the limits of the *Park* while it is proceeding to or from such point of delivery, or

(ii) operated for personal, recreational, or non-commercial use.

Speed

34. Unless authorized by *Permit*, while in any *Park* no person shall operate:

(a) any *Vehicle* on a roadway at a speed in excess of the *Posted* limit; or

(b) a *Bicycle* other than on a roadway at a speed in excess of 20 kilometres per hour.

Horses

35. (1) Unless authorized by *Permit,* no person as owner or person having control of any horse shall permit it to enter or remain in a *Park* unless:

(a) within a *Designated Area* for use by horses; and

(b) it is well broken and wearing a bridle.

(2) No person riding or having control of a horse in any *Park* shall obstruct, inconvenience or endanger other users of the *Park.*

Dogs

36. (1) While in any *Park,* no person as owner or person having control of any dog shall:

(a) allow it to run at large.

(b) excluding blind persons or hearing impaired persons reliant upon a guide dog, permit any dog to enter any beach, pond, swimming area, farm area, garden, landscaped area, playground or sports field, or any other area *Posted* to prohibit same.

(2) While in a *Park* every person as owner or person having control of any dog shall:

(a) ensure that it is on a leash or chain not exceeding 2.4 metres in length;

(b) excluding *Disabled Persons,* pick up and remove forthwith excrement left by the dog and dispose of it in a sanitary manner in a receptacle for litter or in some other suitable container.

Dangerous Animals

37. No person as owner or person having the control of any animal shall bring into or permit such animal to enter any *Park* if it may or does constitute a danger to other park users or is reasonably likely to frighten other park users.

Part VI - Watercraft

Boating

38. No person shall, subject to any right at law to do so, place, operate, drive or ride any *Watercraft* in any *Park* in any area *Posted* so as to prohibit or restrict the type and allowable uses of *Watercraft.*

Mooring

39. Unless authorized by *Permit,* no person shall, subject to any right of law to do so, moor *Watercraft* in any *Park:*

(a) except in a *Designated Area*;

(b) for a period longer than 48 hours;

(c) contrary to *Posted* restrictions or prohibitions or in any way that may or does endanger or inconvenience other *Watercraft* or their use or other users of the *Park*;

(d) without prior payment of the fee therefore authorized by *Council;*

(e) except in accordance with Schedule "C".

Part VII - Commercial Enterprises

Sale of Merchandise Trade or Business

40. (1) Unless authorized by *Permit,* no person shall, while in a *Park*, sell or offer or display for sale:

(a) any food, drink or refreshment;

(b) any goods, wares, merchandise or articles including promotional material, souvenirs and novelties; or

(c) any art, skill, service or work.

(d) except in accordance with The City of Hamilton Street Vendor Program.

(2) While in any *Park*, no person shall practise, carry on, conduct or solicit for any trade, occupation, business or profession.

Subscriptions and Contributions

41. While in a *Park*, no person shall beg, solicit or invite subscriptions or contributions.

Filming and Taping

42. While in a *Park*, no person shall take or permit to be taken for remuneration any film, photograph, video tape or television broadcast, unless,

(a) authorized by *Permit;* and

(b) otherwise *Posted;*

(c) except in accordance with Schedule "B".

Circulars and Advertisements

43. (1) Unless authorized by *Permit,* no person shall:

(a) while in any *Park* distribute, discard, or display any handbill, notice, or other circular, bill or advertisement; or

(b) *Post,* nail, attach, stencil or otherwise fasten or erect any poster, sign, notice, placard or other circular, bill, advertisement or paper to any *Park* property;

Part VIII - Regulation and Enforcement

Permits and Licences

44. (1) *Permits* issued for activities contemplated in this by-law may be subject to such fees as *Council* shall from time to time establish.

(2) *Permits* issued for activities contemplated in this by-law may include conditions as to time, location, area, equipment, number of participants, type of activities, release, indemnity and insurance coverage.

(3) The issuance of a *Permit* pursuant to this by-law shall not relieve any person from the necessity of acquiring any other licence or *Permit* required for such activity by any governmental or public authority.

(4) No *Permit* contemplated by this by-law shall be issued if same would result in the contravention of other applicable law.

Posting of Signage

45. The *Director* is authorized to *Post* signage of permission, regulation, restriction, warning or prohibition with respect to uses of or activities in any *Park* in accordance with the provisions hereof.

Temporary Closure

46. The *Director* is authorized to close off for such temporary period as the *Director* deems appropriate any *Park* or part or parts thereof to relieve or prevent overcrowding or traffic congestion, or in the interests of public safety, or as may otherwise be authorized by *Council.*

Exclusions and Exemptions

47. (1) This by-law shall not apply to:

(a) the drivers, operators or other personnel of ambulances, police or fire department vehicles, while engaged in the performance of their duties;

(b) employees or agents of the *City* while engaged in works or services undertaken for or on behalf of the *City*; or

(c) a *Park,* property or building that is now or hereafter under the jurisdiction of a board established by the *Council* or by statute, the members of which are appointed by *Council.*

(2) This by-law shall be subject to provisions of contracts and agreements now or hereafter entered into by the *City* covering works or services to be performed in any *Park.*

Enforcement

48. (1) Any police officer, provincial offences officer or employee of the *City* designated by the *Director* is authorized to inform any person of the provisions of this by-law and to request compliance therewith.

(2) Any police officer, provincial offences officer or employee of the *City* whose duties include the enforcement of this municipal by-law, is authorized to order any person believed by such officer or employee to be contravening or who has contravened any provision of this by-law,

(a) to desist from the activity constituting or contributing to such contravention;

(b) to remove from the *Park* any animal or thing owned by or in the control of such person which the officer or employee believes is or was involved in such contravention; or

(c) to leave the *Park.*

(3) Any police officer or provincial offences officer may enforce the provisions of this by-law.

(4) Where any person contravenes any of the provisions of this by-law, or fails to comply with any order referred to in subsection (2) hereof, the permission and licence of such person to remain in that *Park* is revoked.

Penalty

49. (1) Any person contravening any of the provisions of this by -law, other than clause 34(a) resulting from the operation of a *Motor Vehicle,* is guilty of an offence and on conviction is liable to a fine in such amount provided for by the Provincial Offences Act, R.S.O. 1990, c.P.33, as may be amended from time to time.

(2) Any person contravening the provision contained in clause 34(a) of this by-law, resulting from the operation of a *Motor Vehicle,* is guilty of an offence under the Highway Traffic Act, R.S.O. 1990, c.H.8, and, pursuant to the provisions thereof, on conviction is liable to a fine in such amount provided for by the Highway Traffic Act, R.S.O. 1990, c.H.8, as may be amended from time to time.

(3) The owner of a *Motor Vehicle* that is parked or left in contravention of section 29 of this by-law is guilty of an offence and on conviction is subject to the provisions of this section, unless at the time of the offence the *Motor Vehicle* was in the possession of another person without the owner's consent.

Removal of Vehicles

50. A police officer or provincial offenses officer upon discovery of any *Vehicle* parked or standing in contravention of section 29 of this by-law may cause it to be moved or taken to and placed or stored in a suitable place and all costs and charges for removing, care and storage thereof, if any, are a lien upon the *Vehicle* which may be enforced in the manner provided by the Repair and Storage Liens Act, R.S.O. 1990, c.R.25, as may be amended from time to time, or any successor acts thereto.

Schedules

51. The Schedules attached to this by-law and listed below shall have the same force and effect as if the provisions contained therein were contained in the body of this by-law:

Schedule "A" - Release of Balloons
Schedule "B" - Filming
Schedule "C" - Passenger Tarrifs

Severability And Saving

52. Should a court of competent jurisdiction declare a part or the whole of any provision of this By-law to be invalid or of no force and effect, the provision or part is deemed severable from this By-law, and it is the intention of *Council* that the remainder survive and be applied and enforced in accordance with its terms to the extent possible under the law.

Short Title 53. The short title of this by-law shall be "The Parks By-law".

Repeal 54. By-law 89-74 is hereby repealed in its entirety.

PASSED this *30th* day of *May* A.D. 1995

City Clerk

Mayor

SCHEDULE "A"

1. No person shall, while in a Park release 10 or more balloons inflated with lighter-than-air gases within a 24 hour period.

SCHEDULE "B"

In this Schedule the following guidelines shall be adhered to when filming and taping in a Park within the City of Hamilton:

1. The Director of Public Works shall:

   (a) in the case of production as listed in Clause (5), give written notice to permit staff, outlining as fully as possible all details of production, at least five working days prior to the actual filming;

   (b) in the case of productions as listed in Clause (6), give written notice to permit staff, outlining as fully as possible all details of production, at least three working days prior to the actual filming;

2. The Director of Public Works, and subject to paragraph (3), may issue the Permit for the period specified therein subject to the person receiving the Permit;

   (a) agreeing that production vehicles will be clearly identified and further agreeing that all vehicles will comply with regulations governing vehicular traffic in the City Parks as determined by the Director of Public Works from time to time and approved by City Council;

   (b) agreeing that production vehicles and equipment will not block fire hydrants, driveways or other access ramps;

   (c) agreeing that all generators used in City Parks will be "blimped" generators;

   (d) agreeing that lighting for filming will be oriented away from neighbouring residences;

   (e) agreeing that production crews will clean the filming locations at the end of each filming day;

   (f) agreeing to indemnify and save harmless the City from any action, claim, damage or loss whatsoever arising from the issuance of the Permit or the use of the Park;

   (g) where deemed necessary by the Director of Public Works, a security deposit shall be required prior to the issuance of a film Permit, in an amount satisfactory to the Director and City Treasurer to ensure that the lands will be restored to the satisfaction of the Director and that any damage to the parklands or property will be satisfactorily repaired. The deposit will be accepted in the form of a certified cheque, letter of credit from a chartered bank or other document satisfactory to the Treasurer; and

   (h) providing a certificate of insurance for general comprehensive public liability for three million dollars, satisfactory to the City Treasurer.

3. Where the Director refuses to approve the issuance of a permit, the applicant shall be referred to City Council for its determination.

4. City Council may cancel the permission for the use of the Park and the Director of Public Works may suspend for cause any such permission pending a report thereon to the Parks & Recreation Committee and Council.

5. Clause 1(a) applies to the following productions:

(a) feature motion picture main unit;

(b) feature television movie main unit;

(c) television mini-series main unit;

(d) television network variety specials;

(e) television network productions requiring any pre-production staging or installation; and

(f) any production requiring the use of amplified sound or pyrotechnic special effects.

6. Clause 1(b) applies to the following productions:

(a) feature motion picture second unit (6 vehicles or less);

(b) feature television movie second unit (6 vehicles or less);

(c) television mini-series second unit (6 vehicles or less);

(d) episodic television series;

(e) television commercials;

(f) current affairs and documentary film and television film production;

(g) television broadcast events coverage not requiring any pre-production staging Promotional films;

(h) non-broadcast television production;

(i) industrial films or home video productions;

(j) music videos;

(k) educational or student films; and

(l) camera or equipment tests.

SCHEDULE "C"

1. In this Schedule

   (a) "Commercially Operated Boat" means a boat in which the Owner or Operator transports or offers to transport persons and/or personal property for a fee;

   (b) "Harbour Master" means the Harbour Master of the Hamilton Harbour Commission.

2. Unless authorized by the Director and "Harbour Master" no Operator or Owner of a "Commercially - Operated Boat" shall moor, allow to be moored, or operate such commercially operated boat within Harbourfront Park or Pier 4 Park or the Sea-Walls located within Harbourfront Park or Pier 4 Parks.

The Corporation of the City of Hamilton

By-law No. 89-74

To consolidate By-law No. 77-221

THE PARKS BY-LAW

WHEREAS prior to December 31, 1973, the general management, regulation and control of parks, avenues, boulevards and roadway drives belonging to the Corporation of the City of Hamilton were vested in the Board of Park Management of the City of Hamilton, pursuant to the Public Parks Act, R.S.O. 1970, Chapter 384;

AND WHEREAS on December 31, 1973, the said Board of Park Management was dissolved and the assets and liabilities thereof became on the 1st day of January 1974, assets and liabilities of the Corporation of the City of Hamilton, pursuant to Section 136 of the Regional Municipality of Hamilton-Wentworth Act, 1973;

AND WHEREAS The Corporation of the City of Hamilton may exercise all or any of the powers that are conferred on boards of park management by The Public Parks Act, pursuant to Section 352, paragraph 68 of the Municipal Act R.S.O. 1970 Chapter 284 (now Section 208 paragraph 51 of the Municipal Act, R.S.O. 1980, Chapter 302);

AND WHEREAS paragraph 58 of Section 352 of the Municipal Act R.S.O. 1970 Chapter 284 (now paragraph 42 of Section 208 of the Municipal Act R.S.O. 1980 Chapter 302) provides for the prohibition of vehicles from sidewalks, pathways or footpaths in Parks;

AND WHEREAS paragraph 3 of the Municipal Act. R.S.O. 1970 (now paragraph 3 of Section 230 of the Municipal Act R.S.O. 1980) provides for the prohibition of the sale of refreshments in public Parks;

AND WHEREAS paragraph 385 of the Municipal Act R.S.O. 1970 (now paragraph 1 of Section 234 of the Municipal Act R.S.O. 1980) provides for the regulation or the prohibition of the playing of bands and of musical instruments in any Park;

AND WHEREAS By-law 77-221 was passed on the 30th day of August 1977 by the Council of the Corporation of the City of Hamilton;

AND WHEREAS the Council of the Corporation of the City of Hamilton in adopting Item 17 of the 5th Report of the Transport and Environment Committee at its meeting held on the 28th day of February 1989, directed that By-law No. 77-221, as amended to date, by consolidated as hereinafter provided.

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. In this by-law,

   (a) "alcoholic beverage" means liquor;

   (b) "by-law enforcement officer" means a by-law enforcement officer of the City;

   (c) "City" means the City of Hamilton;

   (d) "commercial motor vehicle" means a motor vehicle having attached to

it a truck or delivery body or unit;

(e) "liquor" has the same meaning as in the Liquor Licence Act, 1975;

(ea) "loiter" means to remain in an area of a park for no obvious reason, or for reasons for which the park or any facility thereon was not intended; By-law 86-334, S.1.

(eb) "motorized snow vehicle" has the same meaning as in By-law No. 71-23;

(f) "motor vehicle" includes an automobile, motorcycle, snowmobile, moped, minibike, or any other vehicle propelled or driven otherwise than by muscular power;

(g) "official sign" means a sign erected pursuant to section 30 and any other sign approved by Council;

(h) "Park" includes public park, recreation ground, stadium, arena, square, avenue, boulevard, drive, and any facility thereon; By-law 86-334, S.1.

(i) "police constable" means a member of the Hamilton-Wentworth Regional Police Force;

(j) "recreation ground" means a recreation centre, play lot, playground, playfield, school ground, athletic field and includes any building thereon;

(k) "parking space" means that part of any roadway, drive or area designated by the City for the parking of vehicles;

(l) "public parking area" means an area of the Park on which there is an official sign;

(la) "residence" means a place that is actually occupied or used as a building;

(m) "roadway" or "drive" means that part of a Park that is set aside for use of vehicular traffic;

(n) "sign" includes any mode or method provided by the City for the purpose of indicating instructions, directions or regulations pertaining to vehicles;

(o) "trailer" means a vehicle that is at any time drawn upon a highway by a motor vehicle or vehicle;

(p) "vehicle" includes a motor vehicle, trailer, traction engine, farm tractor, road-building machine and any vehicle drawn, propelled or driven by any kind of power, including muscular power, except motorized snow vehicles;

(q) "wine" has the same meaning as in The Liquor Licence Act, 1975. By-law No. 78-97, S.1, S.2, S.3, S.4; By-law 80-002, S.1(a,b).

PART I

USE OF PARKS BY PERSONS

2. (1) No person shall, in a Park, cut, climb, break, injure, deface or disturb any property including,

(a) a tree, shrub, plant, grass or rock;

(b) a building, cage, pen or monument;

(c) a bench or apparatus.

(2) No person shall, in a Park, pull up, pluck, cut, take or remove any bush, shrub, flower or any other plant.

(3) No person shall, in a Park, cut or remove any,

(a) wood;

(b) turf or grass;

(c) soil, sand, rock or gravel. By-law No. 78-97,

(4) No person shall, in a Park, mark or write upon,

(a) any part of the interior or exterior of a building;

(b) any monument, fence, bench or other structure.

(5) No person shall, in a Park, damage or otherwise injure any real or personal property of the City.

3. (1) No person shall swim, bathe, wade in or enter the waters of a pool, fountain, pond, lake or stream in a Park, except when and where designated for such purposes by the City.

(2) No person shall permit a child in his care, custody or charge, to swim, bathe, wade in or enter into the waters of any ornamental pool or fountain.

(3) No person shall disrobe or change his clothes in a vehicle or any other place in a Park, except a building or tent provided for that purpose.

(4) No person shall swim, bathe, wade in or enter into the waters of a pool, fountain, pond, lake or stream in a Park, disrobed.

(4a) No person shall use a metal detector in a park listed in Schedule "A" hereto annexed. By-law 82-180, S.1.

(5) No person shall pollute any waters in a Park where swimming, bathing or wading is permitted, by introducing into such waters any wood, glass, metal, soil, sand, gravel, any debris, waste, refuse or any other foreign matter, thing or substance into the water.

(6) No person shall bring into or have in his custody or possession, any bathing area or in any swimming area of a Park, any bottles, glassware, metal or other material which may cause injury to the bare feet.

4. (1) No person shall camp or lodge in a Park at a place not designated by the City for such purpose.

(2) No person shall hold a picnic in a Park at a place not designated by the City for such purpose.

5. No person shall make or maintain a fire for any purpose in a Park, except,

(a) at a place provided by the City for such purpose; or

(b) with the prior consent of the City upon such terms and conditions as the City may specify.

6. (1) No person shall, in a Park, carry or discharge,

(a) firearms;

(b) air guns or spring gun;

(c) catapults;

(d) fire crackers, rockets, torpedoes or any other fireworks,

except with the permission of, and at a place provided by the City for any such particular purpose.

(2) No person shall carry any bows and arrows or discharge arrows in or into a Park except at any archery range established by the City.

(3) No person shall carry in a Park any hunting knife or any weapon apparently available for the purpose of inflicting injury upon any person using the Park.

(4) No person shall throw a stone or other object or missile that may cause injury or damage to any person or property.

7. No person shall convene or conduct, in a Park, any parade or procession, or take part in any parade or procession in a Park, except with the prior written permission of the City, upon such terms and conditions as the City may specify.

8. No person shall convene or conduct or hold a public meeting in a Park or

deliver a speech in a Park, as a member of, or to members of any political organization, any group or to members of the general public, except with with prior written permission of the City, upon such terms and conditions as the City may specify.

9. (1) No person shall carry, exhibit, affix or erect any placard, sign or notice, or other advertising device in a Park, except with the prior written permission of the City, upon such terms and conditions as the City may specify.

(2) No person shall distribute, deposit or leave any book, pamphlet, handbill, notice, paper or advertising device in a Park, except with the prior written permission of the City, upon such terms and conditions as the City may specify.

10. (1) Having regard to the kind of Park, no person shall ring a bell, blow a horn, shout, play a radio or tape recorder, or records or use any other electronic or mechanical device, or make any other noise that is likely to interfere unreasonably with the enjoyment of the Park by any other person.

(2) No person shall operate a motor driven model airplane or boat or vehicle, or any other model in a Park, except at a place provided by the City for such purpose.

(3) No person shall use a public address system or other device or equipment for amplifying sounds in a Park, except,

(a) with the prior written permission of the City, upon such terms and conditions as the City may specify;

(b) an automobile horn or other signalling device affixed permanently to a vehicle and used for the purpose of warning any person for that person's safety, by reason of operation of the vehicle;

(c) any band instruments or other equipment for entertainment provided by the City.

11. No person shall sell, or offer for sale, or expose for sale or advertise for sale in a Park, any,

(a) food or drink or food and drink;

(b) newspaper, magazine or writing;

(c) goods, wares or merchandise;

(d) art, skill or services,

except with the prior written permission of the City, upon such terms and conditions as the City may specify.

12. No person shall practice or carry on or conduct or solicit for any trade, calling, business or occupation in a Park, except with the prior written permission of the City, upon such terms and conditions as the City may specify.

13. No person, unless duly authorized, shall enter into any place, in a Park, where the sign "No Admittance" is displayed.

14. No person shall enter into or upon, or remain in a Park, unless clad in a manner that is not objectionable to users of the Park.

15. (1) No person, whether individual or as a member of a group of persons, or as a member of a team, shall engage in or play baseball, cricket, football, tennis, croquet, or any other game or sport, in a Park, except at a place provided by the City for the purpose of the particular game or sport.

(2) No person shall play golf, drive a golf ball or use golf clubs or other equipment or drive a golf cart in a Park except in an area provided by the City for that purpose.

(3) No person shall play any game in a Park within twenty feet of a driveway.

(4) No person shall wear cleated shoes in any area, in the Park, where such shoes are not required to be worn for the purpose of the game.

(5) No person shall engage in any foot race, or horse race or ride a horse in a Park, except at a place provided by the City for any such particular purpose.

(6) No person shall ride a horse in a Park, at the place provided for such purpose,

(a) that is not well broken and under complete control;

(b) in excess of fifteen kilometres per hour.

16. (1) No person using any skating rink in any Park shall,

(a) use long nosed racing skates, unless the skates are protected by toe-guards designed to remain affixed to the skates during use;

(b) race or speak so as to endanger or interfere with any other person using the rink;

(c) carry a cane or stick of any kind upon the ice except a hockey stick upon rinks provided for the playing of hockey.

(2) No person shall operate or ride a toboggan in a Park. By-law 87-155, S.2.

17. (1) No person shall play or bet at or against any game conducted, dealt or carried on with cards, dice or other device except,

(a) checkers or chess;

(b) with the prior written permission of the City, upon such terms and conditions as the City may specify.

(2) No person shall maintain or exhibit any gambling table or other instrument of gambling, in a Park.

18. No person shall interfere with the playing of any game by any person in a Park, by

(a) making a noise so as to distract the players;

(b) making verbal comments contrary to any player's request to cease such comments;

(c) in any other way contrary to the proper carrying on of a game by any player in accordance with the rules of the game.

19. (1) No person shall interfere with the play of a minor in any area, in a Park, reserved for such persons.

(2) No person, in a Park, having care or custody of a minor, or having charge of the minor in a Park, shall permit the minor to unreasonably interfere with the enjoyment of the Park by any other person.

20. (1) Except as provided in subsection 2, no person shall bring any animals or fowl into a Park, except in an area designated for such animal or with the prior written permission of the City, upon such terms and conditions as the City may specify. By-law No. 78-97, S.6., By-law 86-341, S.1.

(2) Every person who brings a dog into a park shall at all times keep the dog restrained by means of a leash.

(3) The person referred to in subsection 2 shall immediately and without delay remove any excrement produced by the dog and provide for its sanitary disposition otherwise than on the park premises. By-law 86-341, S.2.

(4) Notwithstanding subsection 20 (1), no person shall bring an animal into a Park during a Festival Event listed in Schedule "B" and any like Festival Event designated by the committee, unless the animal is part of the program of the Event and for which prior permission has been given. By-law 87-155, S.3.

21. (1) No person shall disturb, molest, injure, wound, attempt to kill, hunt, or trap, or kill any animal or bird in a Park.

(2) No person shall touch, interfere with, remove, or injure any bird's nest or the eggs, or the young birds therein.

(3) No person shall provide or cause to be provided or deposit or leave any food for pigeons or food that may be used by pigeons in a Park listed in Schedule "C". By-law 87-244, S.1.

22. (1) No person shall leave or deposit any paper, bottles, broken glass, cans, rags, garbage, rubbish, debris or refuse of any kind, in a Park, except in a receptacle provided by the City for that purpose.

(2) No person shall deposit or leave any paint, grease, oil, offal, or any dangerous matter or any matter that has an odour or appearance found to be offensive by users of the Park.

(3) No person shall scatter any paper, cardboard, or any other material in a Park.

23. No person shall discharge, dump or leave any construction material, earth, dirt, rock or stone or any other materials in a Park, or on or in any land designated as a Park site, or on or in any ravine, slope, or other land accessory to a Park or a Park site, except with the prior written permission of the City, upon such terms and conditions as the City may specify.

24. (1) No person shall bring into a Park, or have in his care or custody or possession, alcoholic beverages while in a Park without the prior approval of the City and only unless the authority of a special occasion permit issued under section 8 of The Liquor Licence Act, 1975. By-law 80-002, S.2.

(2) Any constable, upon discovery of the alcoholic beverage in a Park, may remove the alcoholic beverage and section 56 of The Liquor Licence Act, 1975 applies with all necessary changes in respect of a contravention of the By-law. By-law No. 78-97, S. 7(2)(3); By-law No. 80-002, S.2.

(3) Subsections 1 and 2 shall not apply to a mobile home, recreational vehicle, trailer or tent that is designed for use as, and is being used as, a residence, in a section of the Park designated by the City for such use. By-law No. 78-97, S.7(4).

25. No person shall pick, gather or remove worms from a Park, except with the prior written permission of the City, upon such terms and conditions as the City may specify.

26. (1) Any person found in a recreation building in a Park during hours not authorized for the use of such building,

(a) who fails to account satisfactorily for his or her presence to a police constable; or

(b) who fails to obey an order of a police constable to leave the Park; or

(c) being found in a recreation building or in a swimming pool by a constable or any employee of the City,

may be apprehended as a trespasser. By-law No. 78-97, S.8.

(2) Any person found in a Park between the hours of 11:00 o'clock in the afternoon and 6:00 o'clock in the forenoon,

(a) who fails to account satisfactorily for his or her presence to a police constable; or

(b) who fails to obey an order of a police constable to leave the Park,

may be apprehended as a trespasser.

(3) Subsections 1 and 2 shall not apply where the person has prior written permission of the City, upon such terms and conditions as the City may specify. By-law No. 78-97, S.9.

27. (1) No person shall accost any other person using the Park.

(2) No person shall annoy other person using a Park by making,

(a) verbal comments; or

(b) engaging in physical displays or actions,

contrary to such other person's request to cease.

28. No person shall, in a Park, engage in,

(a) riotous or boisterous or threatening conduct; or

(b) abusive, or threatening or profane or loud language.

29. No person shall, in a Park,

(a) loiter; or

(b) spy; or

(c) conduct himself in such a manner,

so as to disturb the peaceful enjoyment of the Park by any other person.

29a. (1) No person shall loiter in a Park after dark.

(2) The City may erect one or more signs indicating "No Loitering After

Dark".

(3) For the purpose of this section, "dark" means the partial or total absence of natural light following sunset. By-law 86-334, S.2.

29b. Where a sign is erected, no person shall fail to comply with the prohibition indicated in the sign. By-law 86-334, S.2.

PART II

VEHICLES IN PARKS

30. (1) There shall be erected one or more of the following signs in a Park:

1. Signs displaying the symbol for "No Parking" as specified under The Highway Traffic Act.

2. Signs displaying the word "Yield", or symbol in lieu thereof, specified under The Highway Traffic Act.

3. Signs displaying the word "Stop", or a symbol in lieu thereof, specified under The Highway Traffic Act.

4. Signs displaying the maximum speed limit, specified under the Highway Traffic Act.

5. Signs displaying the symbol for "No "U" Turns", specified under The Highway Traffic Act.

6. Signs indicating "One Way Traffic" specified in Part A to schedule 1 of By-law No. 66-100.

7. Signs indicating lane use designation, specified in Part C of schedule 1 of By-law No. 66-100.

8. Signs indicating that a roadway or drive is closed to vehicular traffic or to a particular class of vehicular traffic.

9. Signs indicating a public parking area.

10. Signs indicating time limit for parking.

11. Signs indicating service roads.

(2) The signs referred to in subsection 1 may contain,

(a) an exception relating to an activity permitted in a particular area;

(b) additional information relating to the regulation of traffic.

31. (1) Parking by the public or a class thereof shall not be authorized in a Park except,

(a) in a public parking area; or

(b) in any other area, with the prior approval of the City.

32. (1) No person shall park a vehicle in a parking area except in the area of the parking space.

(2) No person shall park a motor vehicle in a Park where an official sign prohibits parking.

33. No person shall drive or park a commercial motor vehicle without the prior approval of the City.

34. (1) No person shall drive a motor vehicle in a Park except,

(a) on a roadway or drive; or

(b) with the prior approval of the City, on a service road.

35. No person shall drive a motor vehicle in a Park in excess of 30 kilometres per hour.

36. No person shall drive a motor vehicle,

(a) on any grassed area in a Park;

(b) on any landscaped area in a Park.

37. No person shall drive a vehicle on any sidewalk, pathway or footpath used by or set apart for the use of pedestrians in a Park.

38. No person shall drive a vehicle on a running track in a Park.

39. No person shall drive a vehicle on a roadway or drive that is closed to vehicular traffic.

40. No person shall drive a vehicle on a two-way roadway except on the right-hand side thereof.

41. No person shall drive a vehicle on a one-way roadway in a direction opposite to the direction of the traffic.

42. No person shall remove, deface or in any manner interfere with any official sign.

43. No person shall fail to comply with the directions or instructions on any official sign.

44. No person shall park a vehicle in a parking space except to visit the

amenities offered by the Park for personal enjoyment.

45. No person shall,

(a) wash down; or

(b) clean up or polish the interior or exterior of; or

(c) perform automotive services or repairs on,

a vehicle parked or stopped in a Park.

46. (1) No person shall use, cause to be used or permit to be used a motor vehicle in a Park or any part thereof, to provide driving instructions.

(2) No person shall receive driving instructions in a motor vehicle in a Park.

47. (1) No person shall operate a bicycle in a Park except,

(a) on a roadway or drive; or

(b) on a parking area.

(2) No person shall operate a bicycle in a Park,

(a) on a service road; or

(b) in or adjacent to any entrance or exit area in a Park; or

(c) on a pedestrian pathway; or

(d) on any grassed area in a Park; or

(e) on any area surrounding ornamental flower beds.

48. (1) Except as provided in subsection 2, no person shall operate a bicycle in a Park unless the bicycle is equipped with an alarm bell so arranged that it is under the complete control of the rider and is capable of being distinctly heard at a distance of not less than 20 metres.

(2) The person operating a bicycle shall sound the bell whenever it is reasonably necessary to notify pedestrians or vehicles of its approach.

(3) No person shall equip the bicycle with one or more of the following:

1. A large gong bell or a bell that rings continuously for any period of time.

2. A siren or horn or a device producing a sound which so nearly resembles that produced by a siren or horn as to deceive and confuse.

(4) No person shall operate a bicycle in a Park after dark unless,

(a) the bicycle carried on the front thereof a lighted lamp displaying a white or amber light and on the rear thereof,
(i) a light lamp displaying a red light; or

(ii) a large reflector,

clearly discernable from a distance of 30 metres.

49. (1) No person shall operate a bicycle by riding the bicycle side-by-side along with two or more bicycles that are being ridden side-by-side.

(2) No person shall ride crosswise and curbing to and fro in a Park.

(3) No person shall ride a bicycle on the grass in a Park.

(4) No person shall ride a bicycle in an area provided by the City for any game or activity or specified use, in a Park.

(5) No person shall operate a bicycle in a Park with his hands off the handlebars.

(6) No person shall carry an infant or a child under 12 years of age on a bicycle in a Park, in any manner whatsoever.

50. (1) Every person to whom this by-law applies, shall comply with every direction of a police constable or by-law enforcement officer, to immediately cease any action prohibited.

(2) Where the person does not immediately cease the action prohibited, the person shall immediately depart from the Park.

(3) Where the person does not immediately depart from the Park, he may be ejected from the land comprising the whole of the Park, by a police constable.

51. Repealed. By-law No. 78-97, S.10.

52. Repealed. By-law No. 78-97, S.10.

53. Every person who contravenes any provision of this by-law is guilty of an offense and is liable to a fine of not more than $2,000.00 exclusive of costs. By-law No. 81-218, S.11.

54. (1) A police constable or by-law enforcement officer observing a vehicle alleged to be parked:

(a) at a parking space for a period of time longer than the period of time permitted; or

(b) at any location where parking is prohibited,

may attach a serially numbered tag to the motor vehicle.

(2) Any person upon presentation of the tag may, within 7 days pay a penalty out of court in the amount of:

(a) not less than $6.00 in the case of a vehicle parked longer than the period of time permitted; or

(b) not less than $13.00 in the case of a vehicle parked where parking is prohibited.

55. The following are repealed:

1. By-law No. 6726, passed on the 8th day of May, 1951;

2. By-law No. 10796, passed on the 27th day of July, 1965;

3. By-law No. 75-152, passed on the 27th day of May, 1975, as amended by By-law No. 76-237, passed on the 31st day of August, 1976;

4. By-law No. 75-220, passed on the 30th day of July, 1975, as amended by By-law No. 76-249, passed on the 14th day of September, 1976.

56. This by-law may be cited as "The Parks By-law".

57. Every reference to By-law 77-221 shall be a reference to this By-law.

58. The Parks By-law No. 77-221 passed on the 30th day of August 1977, and all subsequent amendments are hereby repealed on the date of the passing and enactment of this By-law.

PASSED this *28th* day of *February* A.D. 1989.

City Clerk

Mayor

CERTIFIED A TRUE COPY

CITY CLERK

(1989) 5 R.T.E.C. 17, February 28

SCHEDULE "A"

To By-law No. 82-180

1. Dundurn Park
2. Harvey Park

SCHEDULE "B"

To By-law No. 77-221

[Section 20(4)]

FESTIVAL EVENTS

1. Festival of Friends.
2. May 21st Celebrations.
3. July 1st Celebrations.
4. Senior's Carousel.
5. Summer Concert Series.
6. Victoria Day Celebrations.
7. Winterfest.
8. Waterfront Celebrations.
9. Your Festival.

SCHEDULE "C"

[Section 21(3)]

1. Gore Park.

Bill No. 223

The Corporation of the City of Hamilton

BY-LAW NO. 77-221

To Regulate:

USE OF PARKS

WHEREAS prior to December 31, 1973, the general management, regulation and control of parks, avenues, boulevards and roadway drives belonging to The Corporation of the City of Hamilton were vested in the Board of Park Management of the City of Hamilton, pursuant to The Public Parks Act, R.S.O. 1970, Chapter 384;

AND WHEREAS on December 31, 1973 the said Board of Park Management was dissolved and the assets and liabilities thereof became on the 1st day of January, 1974, assets and liabilities of The Corporation of the City of Hamilton, pursuant to section 136 of The Regional Municipality of Hamilton-Wentworth Act, 1973;

AND WHEREAS The Corporation of the City of Hamilton may exercise all or any of the powers that are conferred on boards of park management by The Public Parks Act, pursuant to section 352, paragraph 68 of The Municipal Act, R.S.O. 1970, Chapter 284;

AND WHEREAS paragraph 58 of section 352 of The Municipal Act provides for the prohibition of vehicles from sidewalks, pathways or footpaths in Parks;

AND WHEREAS paragraph 3 of The Municipal Act provides for the prohibition of the sale of refreshments in public Parks;

AND WHEREAS paragraph 385 of The Municipal Act provides for the regulation or the prohibition of the playing of bands and of musical instruments in any Park;

AND WHEREAS it is desirable to regulate the use of Parks in The Municipality of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. In this by-law,

(a) "alcoholic beverage" means liquor;

(b) "by-law enforcement officer" means a by-law enforcement officer of the City;

(c) "City" means the City of Hamilton;

(d) "commercial motor vehicle" means a motor vehicle having attached to it a truck or delivery body or unit;

(e) "liquor" has the same meaning as in The Liquor Control Act;

(f) "motor vehicle" includes an automobile, motorcycle, snowmobile, moped, minibike, or any other vehicle propelled or driven otherwise than by muscular power;

(g) "official sign" means a sign erected pursuant to section 30 and any other sign approved by Council;

(h) "Park" includes public park, recreation ground, stadium, square, avenue, boulevard and drive;

(i) "police constable" means a member of the Hamilton-Wentworth Regional Police Force;

(j) "recreation ground" means a play lot, playground, playfield, school ground, athletic field and includes any building thereon;

(k) "parking space" means that part of any roadway, drive or area designated by the City for the parking of vehicles;

(l) "public parking area" means an area of the Park on which there is an official sign;

(m) "roadway" or "drive" means that part of a Park that is set aside for use of vehicular traffic;

(n) "sign" includes any mode or method provided by the City for the purpose of indicating instructions, directions or regulations pertaining to vehicles;

(o) "trailer" means a vehicle that is at any time drawn upon a highway by a motor vehicle or vehicle;

(p) "vehicle" includes a motor vehicle, trailer, traction engine, farm tractor, road-building machine and any vehicle drawn, propelled or driven by any kind of power, including muscular power;

(q) "wine" has the same meaning as in The Liquor Control Act.

PART I

USE OF PARKS BY PERSONS

2. (1) No person shall, in a Park, cut, climb, break, injure, deface or disturb any property including,

(a) a tree, shrub, plant, grass or rock;

(b) a building, cage, pen or monument;

(c) a bench or apparatus.

(2) No person shall, in a Park, pull up, pluck, cut, take or remove any bush, shrub, flower or any other plant.

(3) No person shall, in a Park, cut or remove any,

(a) wood;

(b) turf or grass;

(c) soil, sand, rock or gravel.

(4) No person shall, in a Park, mark or write upon,

(a) any part of the interior or exterior of a building;

(b) any monument, fence, bench or other structure.

(5) No person shall, in a Park, damage or otherwise injure any real or personal property of the City.

3. (1) No person shall swim, bathe, wade in or enter the waters of a pool, fountain, pond, lake or stream in a Park, except when and where designated for such purposes by the City.

(2) No person shall permit a child or animal in his care, custody or charge, to swim, bathe, wade in or enter into the waters of any ornamental pool or fountain.

(3) No person shall disrobe or change his clothes in a vehicle or any other place in a Park, except a building or tent provided for that purpose.

(4) No person shall swim, bathe, wade in or enter into the waters of a pool, fountain, pond, lake or stream in a Park, disrobed.

(5) No person shall pollute any waters in a Park where swimming, bathing or wading is permitted, by introducing into such waters any wood, glass, metal, soil, sand, gravel, any debris, waste, refuse or any other foreign matter, thing or substance into the water.

(6) No person shall bring into or have in his custody or possession, in any bathing area or in any swimming area of a Park, any bottles, glassware, metal or other material which may cause injury to the bare feet.

4. (1) No person shall camp or lodge in a Park at a place not designated by the City for such purpose.

(2) No person shall hold a picnic in a Park at a place not designated by the City for such purpose.

5. No person shall make or maintain a fire for any purpose in a Park, except,

(a) at a place provided by the City for such purpose; or

(b) with the prior consent of the City upon such terms and conditions as the City may specify.

6. (1) No person shall, in a Park, carry or discharge,

(a) firearms;

(b) air guns or spring gun;

(c) catapults;

(d) fire crackers, rockets, torpedoes or any other fireworks,

except with the permission of, and at a place provided by the City for any such particular purpose.

(2) No person shall carry any bows and arrows or discharge arrows in or into a Park except at any archery range established by the City.

(3) No person shall carry in a Park any hunting knife or any weapon apparently available for the purpose of inflicting injury upon any person using the Park.

(4) No person shall throw a stone or other object or missile that may cause injury or damage to any person or property.

7. No person shall convene or conduct, in a Park, any parade or procession, or take part in any parade or procession in a Park, except with the prior written permission of the City, upon such terms and conditions as the City may specify.

8. No person shall convene or conduct or hold a public meeting in a Park or deliver a speech in a Park, as a member of, or to members of any political organization, any group or to members of the general public, except with the prior written permission of the City, upon such terms and conditions as the City may specify.

9. (1) No person shall carry, exhibit, affix or erect any placard, sign or notice, or other advertising device in a Park, except with the prior written permission of the City, upon such terms and conditions as the City may specify.

(2) No person shall distribute, deposit or leave any book, pamphlet, handbill, notice, paper or advertising device in a Park, except with the prior written permission of the City, upon such terms and conditions as the City may specify.

10. (1) Having regard to the kind of Park, no person shall ring a bell, blow a horn, shout, play a radio or tape recorder, or records or use any other electronic or mechanical device, or make any other noise that is likely to interfere unreasonably with the enjoyment of the Park by any other person.

(2) No person shall operate a motor driven model airplane or boat or vehicle, or any other model in a Park, except at a place provided by the City for such purpose.

(3) No person shall use a public address system or other device or equipment for amplifying sounds in a Park, except,

(a) with the prior written permission of the City, upon such terms and conditions as the City may specify;

(b) an automobile horn or other signaling device affixed permanently to a vehicle and used for the purpose of warning any person for that person's safety, by reason of operation of the vehicle;

(c) any band instruments or other equipment for entertainment provided by the City.

11. No person shall sell, or offer for sale, or expose for sale or advertise for sale in a Park, any,

(a) food or drink or food and drink;

(b) newspaper, magazine or writing;

(c) goods, wares or merchandise;

(d) art, skill or services,

except with the prior written permission of the City, upon such terms and conditions as the City may specify.

12. No person shall practice or carry on or conduct or solicit for any trade, calling, business or occupation in a Park, except with the prior written permission of the City, upon such terms and conditions as the City may specify.

13. No person, unless duly authorized, shall enter into any place, in a Park, where the sign "No Admittance" is displayed.

14. No person shall enter into or upon, or remain in a Park, unless clad in a manner that is not objectionable to users of the Park.

15. (1) No person, whether individual or as a member of a group of persons, or as a member of a team, shall engage in or play baseball, cricket, football, tennis, croquet, or any other game or sport, in a Park, except at a place provided by the City for the purpose of the particular game or sport.

(2) No person shall play golf, drive a golf ball or use golf clubs or other golf equipment or drive a golf cart in a Park except in an area provided by the City for that purpose.

(3) No person shall play any game in a Park within twenty feet of a driveway.

(4) No person shall wear cleated shoes in any area, in the Park, where such shoes are not required to be worn for the purpose of the game.

(5) No person shall engage in any foot race, or horse race or ride a horse in a Park, except at a place provided by the City for any such particular purpose.

(6) No person shall ride a horse in a Park, at the place provided for such purpose,

(a) that is not well broken and under complete control;

(b) in excess of fifteen kilometres per hour.

16. No person using any skating rink in any Park shall,

(a) use long nosed racing skates, unless the skates are protected by toe-guards designed to remain affixed to the skates during use;

(b) race or speak so as to endanger or interfere with any other person using a rink;

(c) carry a cane or stick of any kind upon the ice except a hockey stick upon rinks provided for the playing of hockey.

17. (1) No person shall play or bet at or against any game conducted, dealt or carried on with cards, dice or other device except,

(a) checkers or chess;

(b) with the prior written permission of the City, upon such terms and conditions as the City may specify.

(2) No person shall maintain or exhibit any gambling table or other instrument of gambling or gaming, in a Park.

18. No person shall interfere with the playing of any game by any person in a Park, by

(a) making noise so as to distract the players;

(b) making verbal comments contrary to any player's request to cease such comments;

(c) in any other way contrary to the proper carrying on of a game by any player in accordance with the rules of the game.

19. (1) No person shall interfere with the play of a minor in any area, in a Park, reserved for such persons.

(2) No person, in a Park, having care or custody of a minor, or having charge of the minor in a Park, shall permit the minor to unreasonably interfere with the enjoyment of the Park by any other person.

20. No person shall bring any animals or fowl into a Park, except with the prior written permission of the City, upon such terms and conditions as the City may specify.

21. (1) No person shall disturb, molest, injure, wound, attempt to kill, hunt, trap, or kill any animal or bird in a Park.

(2) No person shall touch, interfere with, remove, or injure any bird's nest or the eggs, or the young birds therein.

22. (1) No person shall leave or deposit any paper, bottles, broken glass, cans, rags, garbage, rubbish, debris or refuse of any kind, in a Park, except in a receptacle provided by the City for that purpose.

(2) No person shall deposit or leave any paint, grease, oil, offal, or any dangerous matter or any matter that has an odour or appearance found to be offensive by users of the Park.

(3) No person shall scatter any paper, cardboard, or any other material in a Park.

23. No person shall discharge, dump or leave any construction material, earth, dirt, rock or stone or any other materials in a Park, or on or in any land designated as a Park site, or on or in any ravine, slope, or other land accessory to a Park or a Park site except with the prior written permission of the City, upon such terms and conditions as the City may specify.

24. (1) No person shall bring into a Park, or have in his care or custody or possession, alcoholic beverages while in a Park without the prior approval of the City.

(2) Subject to subsection 1, no person shall consume any alcoholic beverage while in a Park.

(3) Any constable, upon discovery of the alcoholic beverage in a Park, may remove the alcoholic beverage whether or not it is in the care or custody or possession of any person.

25. No person shall pick, gather or remove worms from a Park, except with the prior written permission of the City, upon such terms and conditions as the City may specify.

26. (1) Any person found in a recreation building in a Park during hours not authorized for the use of such building,

(a) who fails to account satisfactorily for his or her presence to a constable; or

(b) who fails to obey an order of a constable to leave the Park; or

(c) being found in a recreation building or in a swimming pool by a constable or any employee of the City,

may be apprehended as a trespasser.

(2) No person shall enter into, or be in a Park between the hours of half past eleven in the afternoon and six o'clock in the forenoon, except with the prior written permission of the City, upon such terms and conditions as the City may specify.

27. (1) No person shall accost any other person using the Park.

(2) No person shall annoy any other person using a Park by making,

(a) verbal comments; or

(b) engaging in physical displays or actions,

contrary to such other person's request to cease.

28. No person shall, in a Park, engage in,

(a) riotous or boisterous or threatening conduct; or

(b) abusive, or threatening or profane or loud language.

29. No person shall, in a Park,

(a) loiter; or

(b) spy; or

(c) conduct himself in such a manner,

so as to disturb the peaceful enjoyment of the Park by any other person.

PART II

VEHICLES IN PARKS

30. (1) There shall be erected one or more of the following signs in a Park:

1. Signs displaying the symbol for "No Parking" as specified under The Highway Traffic Act.

2. Signs displaying the word "Yield", or a symbol in lieu thereof, specified under The Highway Traffic Act.

3. Signs displaying the word "Stop", or a symbol in lieu thereof, specified under The Highway Traffic Act.

4. Signs displaying the maximum speed limit, specified under The Highway Traffic Act.

5. Signs displaying the symbol for "No "U" Turns", specified under The Highway Traffic Act.

6. Signs indicating "One Way Traffic" specified in Part A to schedule 1 of By-law No. 66-100.

7. Signs indicating lane use designation, specified in Part C of schedule 1 of By-law No. 66-100.

8. Signs indicating that a roadway or drive is closed to vehicular traffic or to a particular class of vehicular traffic.

9. Signs indicating a public parking area.

10. Signs indicating time limit for parking.

11. Signs indicating service roads.

(2) The signs referred to in subsection 1 may contain,

(a) an exception relating to an activity permitted in a particular area;

(b) additional information relating to the regulation of traffic.

31. (1) Parking by the public or a class thereof shall not be authorized in a Park except,

(a) in a public parking area; or

(b) in any other area, with the prior approval of the City.

32. (1) No person shall park a vehicle in a parking area except in the area of the parking space.

(2) No person shall park a motor vehicle in a parking area for a time longer than the time specified on an official sign.

(3) No person shall park a motor vehicle in a Park where an official sign prohibits parking.

33. No person shall drive or park a commercial motor vehicle without the prior approval of the City.

34. (1) No person shall drive a motor vehicle in a Park except,

(a) on a roadway or drive; or

(b) with the prior approval of the City, on a service road.

35. No person shall drive a motor vehicle in a Park in excess of 30 kilometres per hour.

36. No person shall drive a motor vehicle,

(a) on any grassed area in a Park;

(b) on any landscaped area in a Park.

37. No person shall drive a vehicle on any sidewalk, pathway or footpath used by or set apart for the use of pedestrians in a Park.

38. No person shall drive a vehicle on a running track in a Park.

39. No person shall drive a vehicle on a roadway or drive that is closed to vehicular traffic.

40. No person shall drive a vehicle on a two-way roadway except on the right-hand side thereof.

41. No person shall drive a vehicle on a one-way roadway in a direction opposite to the direction of the traffic.

42. No person shall remove, deface or in any manner interfere with any official sign.

43. No person shall fail to comply with the directions or instructions on any official sign.

44. No person shall park a vehicle in a parking space except to visit the amenities offered by the Park for personal enjoyment.

45. No person shall,

(a) wash down; or

(b) clean up or polish the interior or exterior of; or

(c) perform automotive services or repairs on,

a vehicle parked or stopped in a Park.

46. (1) No person shall use, cause to be used or permit to be used a motor vehicle in a Park or any part thereof, to provide driving instructions.

(2) No person shall receive driving instructions in a motor vehicle in a Park.

47. (1) No person shall operate a bicycle in a Park except,

(a) on a roadway or drive; or

(b) on a parking area.

(2) No person shall operate a bicycle in a Park,

(a) on a service road; or

(b) in or adjacent to any entrance or exit area in a Park; or

(c) on a pedestrian pathway; or

(d) on any grassed area in a Park; or

(e) on any area surrounding ornamental flower beds.

48. (1) Except as provided in subsection 2, no person shall operate a bicycle in a Park unless the bicycle is equipped with an alarm bell so arranged that it is under the complete control of the rider and is capable of being distinctly heard at a distance of not less than 20 metres.

(2) The person operating a bicycle shall sound the bell whenever it is reasonably necessary to notify pedestrians or vehicles of its approach.

(3) No person shall equip the bicycle with one or more of the following:

1. A large gong bell or a bell that rings continuously for any period of time.

2. A siren or horn or a device producing a sound which so nearly resembles that produced by a siren or horn as to deceive and confuse.

(4) No person shall operate a bicycle in a Park after dark unless,

(a) the bicycle carried on the front thereof a lighted lamp displaying a white or amber light and on the rear thereof,

(i) a light lamp displaying a red light, or

(ii) a large reflector,

clearly discernable from a distance of 30 metres.

49. (1) No person shall operate a bicycle by riding the bicycle side-by-side along with two or more bicycles that are being ridden side-by-side.

(2) No person shall ride crosswise and curving to and fro in a Park.

(3) No person shall ride a bicycle on the grass in a Park.

(4) No person shall ride a bicycle in an area provided by the City for any game or activity or specified use, in a Park.

(5) No person shall operate a bicycle in a Park with his hands off the handlebars.

(6) No person shall carry an infant or a child under 12 years of age on a bicycle in a Park, in any manner whatsoever.

50. (1) Every person to whom this by-law applies, shall comply with every direction of a policy constable or by-law enforcement officer, to immediately cease any action prohibited.

(2) Where the person does not immediately cease the action prohibited, the person shall immediately depart from the Park.

(3) Where the person does not immediately depart from the Park, he may be ejected from the land comprising the whole of the Park, by a police constable.

51. (1) Where an offense is alleged to have been committed contrary to any provision of this by-law, a constable or by-law enforcement officer may,

(a) attach to the vehicle or send same by registered post to the owner of the vehicle, or

(b) issue to the person alleged to have committed the offense,

a serially numbered tag.

(2) In the case of a vehicle, the serially numbered tag shall bear the licence number or serial number of the vehicle and a description of the vehicle and a short description of the offense and its general location.

(3) In the case of a person alleged to have committed an offense the name and address of the person and a short description of the offense and its general location.

52. Any person upon presentation of the tag may pay out of court, within 48 hours exclusive of Sundays and holidays, a penalty in the amount of $28.00.

53. Every person who contravenes any provision of this by-law is guilty of an offense and on summary conviction is liable to a fine of not more than $1,000.00 exclusive of costs.

54. The following are repealed:

1. By-law No. 6726, passed on the 8th day of May, 1951;

2. By-law No. 10796, passed on the 27th day of July, 1965;

3. By-law No. 75-152, passed on the 27th day of May, 1975, as amended by By-law No. 76-237, passed on the 31st day of August, 1976;

4. By-law No. 75-220, passed on the 30th day of July, 1975 as amended by By-law No. 76-249, passed on the 14th day of September, 1976.

55. This by-law may be cited as "The Parks By-law".

PASSED this 30th day of August A.D. 1977.

Deputy City Clerk

Mayor

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